

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

UNITED STATES OF AMERICA
PLAINTIFF,

vs.

Cr. No. 5:06CR50010-001

ERASMO ORTIZ-TORRES,
DEFENDANT.

ORDER FOR REMISSION OF SPECIAL ASSESSMENT AND FINE

Now on this 30th day of July, 2008, comes on to be considered the United States' Petition for Remission of Special Assessment and Fine. The Court, being well and sufficiently advised, finds and orders as follows with respect thereto:

1. On July 14, 2006, Defendant was sentenced to thirty months incarceration, three years supervised release with the possibility of deportation, a \$100.00 special assessment and a \$500.00 fine.

2. The United States moves to remit Defendant's special assessment and fine pursuant to 18 U.S.C. § 3573, which provides:

Upon petition of the Government showing that reasonable efforts to collect a fine... are not likely to be effective, the court may, in the interest of justice - -

1) remit all or part of the unpaid portion of the fine or special assessment, including interest and penalties. This statute shall apply to all fines and assessments, irrespective of the date of imposition."

3. The United States states that the Defendant was deported on April 4, 2008, and that there is no reasonable likelihood that the special assessment and fine can be collected.

4. Upon due consideration, the United States' Petition for Remission of Special Assessment and Fine is hereby granted and Defendant's special assessment and fine are remitted.

IT IS SO ORDERED.

/s/Jimm Larry Hendren
HONORABLE JIMM LARRY HENDREN
CHIEF U. S. DISTRICT JUDGE